

Town Council Meeting: 10 April 2006



Town of Garrett Park
PO Box 84
4600 Waverly Avenue
Garrett Park, MD 20896

Regular Meeting of Town Council
Garrett Park Town Hall
10814 Kenilworth Avenue
Garrett Park, MD 20896

MINUTES

Call to Order: Mayor Shawaker called the meeting to order at 7:45 PM. Councilmembers Altar, Benjamin, Bennett, Soltan, and Wegner were present. Also present was Administrator Pratt, reporters from the *Garrett Park Bugle* and the *Montgomery County Gazette*, as well as a number of Town residents.

Approval of Agenda: Councilmember Wegner **Moved**

That the agenda be approved as posted. Councilmember Altar seconded the motion, which **PASSED** unanimously.

Guests:

- Resident Barry Castleman introduced Fred Millar, PhD from the DC Local Emergency Planning Committee. Dr. Millar gave a detailed presentation on the transportation of hazardous materials by rail through the Greater Washington Metropolitan Area and answered numerous questions posed by Councilmembers and residents. Dr. Millar asked that the Town Council consider adopting a resolution urging the Montgomery County Council to take action restricting the transport of hazardous materials through residential areas of Montgomery County.
- Miguel Ascarrunz, Emergency Manager for the Montgomery County Homeland Security Department made a presentation regarding the County's Multi-Hazard Mitigation Plan. He answered numerous questions from Councilmembers and residents and asked that the Council adopt the County's plan. He agreed to provide the Council more information regarding the National Flood Insurance Program, specifically whether there could be any effect of the Town participating in the program on Garrett Park residents without flood insurance attempting to obtain building permits, such as engineering analyses of flood hazards.

The meeting adjourned from 8:35 to 8:50 PM for a reception honoring retiring Councilmember Art Bennett for his six years of service on the Council.

Presentations by Citizens: There was brief discussion regarding Dr. Millar's presentation. Councilmember Soltan agreed to work on a draft resolution to be considered by the Council at the May meeting.

Mayor's Report:

- Mayor Shawaker thanked the Arboretum Committee for its work planting bulbs around Penn Place last fall, noting how much they brightened up the area.
- The Mayor announced that there would be a dedication ceremony at Penn Place for the Seferlis Sculpture on April 23rd at 3:00 PM.

Councilmember's Reports:

- Councilmember Bennett reported that the Historic Preservation Committee (HPC) had met to discuss what revisions might be necessary to the Town's Demolition Ordinance. The committee would like more direction from the Council regarding the possibility of paying for legal advice.
- Councilmember Soltan told the Council that he was seeking volunteers to work with him on the *Ad Hoc* Rights of Way Committee.
- Mayor Shawaker asked if the Council wished to take any action on the HPC request concerning legal advice. Councilmember Benjamin asked that the HPC prepare a proposal with specific objectives.

Approval of Minutes:

Council Meeting on 02/13/06 – Were held for a review of the meeting tapes.

Council Meeting on 03/13/06 – Were held for a review of the meeting tapes.

Action/Discussion:

- Constant Yield Tax Rate Hearing – Mayor Shawaker called the hearing to order at 9:15 PM and read the required notice letter (attached to these minutes). There was no resident testimony.
- Adoption of Ordinance 2006-02: The FY 2007 Operating & Capital Budget – Mayor Shawaker referred to the FY 2007 budget ordinance already introduced at the March meeting and asked for a motion to adopt the ordinance. Councilmember Benjamin **MOVED**

That Ordinance 2006-02, the Town Operating and Capital Budget for fiscal year 2007, be adopted, and that the Town reduce its current Real Property Tax Rate to nineteen cents (19¢) per one-hundred dollars (\$100) of assessed valuation, and retain its Corporate and Personal Property Tax Rate of one dollar (\$1.00) per one-hundred dollars (\$100) of assessed valuation. Councilmember Wegner seconded the motion.

Mayor Shawaker asked for discussion on the motion. (A copy of the ordinance is attached to these minutes) Resident Bill Millard commented on the increase in Town personnel and suggested that Town staff could do some of the needed infrastructure repairs. Councilmember Wegner pointed out that

a number of Town roads needed complete reconstruction, something well beyond the Town's maintenance staff's capability.

Councilmember Soltan reiterated his objection is to the reduction in the tax rate, stating that it was his belief that planning the capital program should be substantially completed before any adjustment made to the tax rate.

Councilmember Wegner pointed out that the rate reduction reduced Town revenues by roughly \$17,800 and therefore did not pose a financial burden to the Town. He stated that planning should begin as soon as possible, and that in the end it would be impossible to manage the costs of the capital program through manipulation of the operating budget alone.

Mayor Shawaker noted that the Town had applied for a Program Open Space grant of \$35,000 for improvements to Cambria Park.

Councilmember Bennett stated that if the Town starts saving now there will be increased resources available for the infrastructure program and that this was not the time to cut the tax rate.

Councilmember Benjamin stated his opinion that the FY 2007 budget was substantive and carefully developed, providing for adequate operations, needed capital investments, and an increased transfer to reserves, as well as allowing for a reduction in the tax rate.

Mayor Shawaker called for a vote on the motion, which **PASSED** with Councilmembers Altar, Benjamin, and Wegner voting 'Aye,' and Councilmembers Bennett and Soltan voting 'Nay.'

- Adoption of Montgomery County Multi-Hazard Mitigation Plan – Mayor Shawaker asked to take the Multi-Hazard Plan resolution out of order so that Mr. Ascarrunz could get home at a reasonable hour. Councilmember Altar **MOVED**

That Resolution 2006-01 adopting the Montgomery County Multi-Hazard Mitigation Plan be adopted (A copy of the full resolution is attached to these minutes). Councilmember Soltan seconded the motion, which **PASSED** unanimously.

- Rokeby Avenue Parking Tow Zone: Introduction of Ordinance 2006-03 – Councilmember Benjamin stated that he did not think an ordinance was necessary. He reported that he had discussed enforcement by towing with both Town Attorney David Podolsky, and a towing contractor, but did not feel that towing would be needed and that simply placing 3-hour parking limit signs on the west side of Rokeby opposite the train station should be adequate to get commuters to park on the railroad side. Councilmember Benjamin **MOVED**

That all parking on the west side of Rokeby from the intersection with Waverly Avenue to the boundary between lots 9 and 10 (11010 Rokeby Avenue) shall be limited to three hours, Monday through Friday, between the hours of 8:00 AM and 5:00 PM. The motion was seconded by Councilmember Altar and after brief discussion was **PASSED** unanimously.

- Report on National Flood Insurance Program – Administrator Pratt asked that this be deferred until the Town received more information from Mr. Ascarrunz

Town Administrator Report:

Administrator Pratt reviewed the Monthly Financials

Adjournment

There being no further business the meeting was adjourned at 10:15 PM. The Council did not go into Executive Session.

Respectfully submitted

[TOWN SEAL]

Edwin Pratt, Jr., Clerk-Treasurer